



Ref: 54/2025

H.E. Mr. Philippe Gautier
The Registrar
International Court of Justice
Peace Palace, Carnegieplein 2
2517 KJ The Hague
The Netherlands

11 April 2025

**Application of the Convention on the Prevention and Punishment of the Crime of Genocide
in Sudan (Sudan v. United Arab Emirates)**

Sir,

I have the honour to refer to the oral pleadings on the Applicant's Request for the indication of provisional measures in *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in Sudan (Sudan v. United Arab Emirates)*, at the conclusion of which two questions were put to the United Arab Emirates concerning its reservation to Article IX of the Genocide Convention.

Judge Tomka's Question

Judge Tomka asked the following question:

"I have a question for the Respondent.

It concerns the translation into English of the reservation to Article IX made by the United Arab Emirates.

The instrument of accession which contains that reservation, signed by the Deputy Prime Minister and Minister of State for Foreign Affairs, is in Arabic (for a copy see Tab 3). The



depository notification of the United Nations Secretary-General contains the translation of the reservation to Article IX into English in these terms:

"...The Government of the United Arab Emirates...makes a reservation with respect to article IX thereof concerning the submission of disputes arising between the Contracting Parties relating to the interpretation, application or fulfilment of this Convention, to the International Court of Justice, at the request of any of the parties to the dispute."

In the "unofficial translation" (not certified) of the Instrument of Accession (provided by the Respondent in Tab 2) the reservation is translated as follows:

"...with a reservation to the contents of Article IX of the Convention, which pertains to the referral of disputes arising between the Contracting Parties concerning the interpretation, application, or fulfilment of the Convention to the International Court of Justice at the request of any of the disputing parties."

The question to the Respondent is as follows:

Which version of the translation of the reservation does the Respondent rely on?"

The United Arab Emirates relies on its own translation of its instrument of accession (See "Instrument of Accession of the United Arab Emirates to the Convention on the Prevention and Punishment of the Crime of Genocide", Judges' Folder, Tab 2), which includes a literal translation of the original Arabic version of the United Arab Emirates' reservation to Article IX of the Genocide Convention.

The United Nations depository notification (See "Depository Notification on the Accession of the United Arab Emirates to the Convention on the Prevention and Punishment of the Crime of Genocide", Judges' Folder, Tab 3) was submitted by the United Arab Emirates to demonstrate its accession to the Genocide Convention and the notification thereof to all United Nations Member States.

For the purpose of determining the effect of the United Arab Emirates' reservation, the United Arab Emirates does not see any material difference between its translation (Judges' Folder, Tab 2)



and the United Nations' translation in the United Nations Depositary Notification (Judges' Folder, Tab 3). Both translations accurately reflect the United Arab Emirate's intention not to be bound by Article IX of the Convention.

Judge *ad hoc* Simma's Question

Judge *ad hoc* Simma asked the following question:

“What are the reasons that made the UAE enter its reservation to Article IX of the Genocide Convention?”

The United Arab Emirates acceded to the Genocide Convention in 2005 with a reservation to Article IX. It entered its reservation because it did not wish to be bound by Article IX of the Genocide Convention.

Accept, Sir, the assurances of my highest consideration.

Ameirah Al Hefeiti
Ambassador of the United Arab Emirates
to the Kingdom of the Netherlands
Agent of the United Arab Emirates